

From: [Kemp, Steve](#)
To: [Jason Smith](#); [Harlan Smith](#)
Cc: [Campbell.Todd@epa.gov](#); [Hagenmaier, Elizabeth](#); [Fritz, Koni](#)
Subject: Followup to telephone conversation
Date: Wednesday, July 1, 2020 10:15:00 AM

Jason:

This email is to followup to our telephone conversation at 9:12 this morning.

1. I understand that EQM is likely to be done transporting mine waste from most LODs to Gypstack within about 2 weeks. After this time there may be small volumes of waste still being transported from areas such as Dogwood Lane.
2. EQM has a subcontractor on board to construct the box culverts at Dogwood Lane. The sub committed to completing the work by 8-21-2020.
3. I talked to Koni and Todd C. yesterday.
 - a. EPA is not going to have EQM excavate the remaining waste around the Hollier trailer on Larry Wald's property.
 - b. EPA is not going to have EQM excavate additional waste on the south side of Steve Nelson's property in the area that you, Todd and I discussed by telephone the other day
4. You updated me that EQM completed removing the additional waste between LODs on the north side of Steve Nelson's property, within MW19 that you and I talked two weeks ago, and I approved, removing that waste.
5. As discussed two weeks ago, and as I requested, EQM did not continue north to chase the mine waste onto Mr. Harper's property in MW19. This area is outside the design limits. The waste likely extends for a significant distance and it is not possible to predict the full extent of waste.
6. You let me know that as you excavated the "pond" east of Thicket Lane in MW19, you found what appear to be two shafts in the bottom and I approved capping these with extra clay for a total of about 4-5 of clay over the top of the shafts. This is consistent with the ROD for OU1.
7. You also let me know there appears to be at least one shaft near the culvert under Thicket Lane, on the east side of thicket lane. As I approved, you will also cap this area with extra clay.
8. I requested that EQM record accurate GPS locations for all shafts, as you have been, because EPA will return to all of these shafts and install proper plugs under a separate contract to be developed later.

Over the course of the last couple of years on this contract, EPA has requested several times that EQM stop excavating mine waste at the boundary of a mine waste area or LOD. I requested that EQM include a list of all areas where EQM left waste in place at EPA's request in the construction completion report so that EPA conduct additional investigation and develop design to remediate this waste in the future.

One thing I did not mention in our telephone call this morning but I may have mentioned in past conversations with you regarding the construction completion report, it will be important that EQM assure the CCR includes a list with the GPS coordinates of all mine shafts and subsidence pits found by EQM during remediation. EPA will return to these features to install proper plugs.

If I misunderstood anything we discussed, or forgot anything please don't hesitate to let me know.

Thanks.

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